

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on March 21, 2017 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Alan Doane, Chair (R)
Rep. Seth Berglee, Vice Chair (R)
Rep. Virginia Court, Vice Chair (D)
Rep. Laurie Bishop (D)
Rep. Bob Brown (R)
Rep. Jennifer Eck (D)
Rep. Kathy Kelker (D)
Rep. Casey Knudsen (R)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. Dale Mortensen (R)
Rep. Zac Perry (D)
Rep. Lola Sheldon-Galloway (R)
Rep. Barry Usher (R)
Rep. Kirk Wagoner (R)

Members Excused:

Rep. Bob Brown (R)
Rep. Bill Harris (R)
Rep. Ellie Hill Smith (D)
Rep. Shane A. Morigeau (D)
Rep. Matt Regier (R)

Members Absent: None

Staff Present: Sara Fleming, Committee Secretary
Helen Thigpen, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 45, 3/9/2017; SB 71, 3/9/2017; SB 118, 3/9/2017; SB 167, 3/9/2017
Executive Action: SB 64, SB 175, SB 176

HEARING ON SB 71**Opening Statement by Sponsor:**

00:02:05 Sen. Jen Gross (D), SD 25, opened the hearing on SB 71, Provide for an intervention hearing for parolees.
00:02:36 Rep. Morigeau joined the meeting.
00:02:43 Rep. Bishop joined the meeting.
00:05:07 Rep. B. Brown joined the meeting.

Proponents' Testimony:

00:06:14 Kevin Olson, Montana Department of Corrections (COR)
00:08:48 Beth Brennenman, Disability Rights Montana

Opponents' Testimony: None**Informational Testimony:** None**Questions from Committee Members and Responses:**

00:10:02 Rep. McConnell
00:10:25 Kevin Olson, COR
00:12:39 Rep. Sheldon-Galloway
00:14:08 Rep. Usher
00:14:45 Kevin Olson, COR
00:15:28 Rep. Usher
00:15:58 Sen. Gross
00:18:39 Chair Doane
00:18:55 Kevin Olson, COR

Closing by Sponsor:

00:19:35 Sen. Gross

HEARING ON SB 45**Opening Statement by Sponsor:**

00:20:48 Sen. Margaret (Margie) MacDonald (D), SD 26, opened the hearing on SB 45, Revise drug and mental health treatment court laws.

Proponents' Testimony:

00:24:09 Beth McLaughlin, Montana Supreme Court
00:25:52 Kevin Olson, Montana Department of Corrections (COR)

Opponents' Testimony: None**Informational Testimony:**

00:27:12 Greg Mohr, Montana Magistrates Association (MMA)

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:27:43 Sen. MacDonald

[EXHIBIT\(juh58a01\)](#)

HEARING ON SB 118

Opening Statement by Sponsor:

00:29:59 Sen. Mary McNally (D), SD 24, opened the hearing on SB 118, Provide for uniform act regarding fiduciary access to digital assets.

Proponents' Testimony:

00:34:27 Dean Eck, Montana Uniform Law Commission

[EXHIBIT\(juh58a02\)](#)

[EXHIBIT\(juh58a03\)](#)

[EXHIBIT\(juh58a04\)](#)

[EXHIBIT\(juh58a05\)](#)

00:41:03 Aimee Grmoljez, Montana Bankers Association (MBA)

00:43:39 Carin McClain, Montana Credit Unions

00:44:53 Bill Roberts, American Association of Retired Persons (AARP)

[EXHIBIT\(juh58a06\)](#)

00:47:37 Brand Boyar, Montana Bar Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:49:57 Rep. Wagoner

00:50:54 Dean Eck, Montana Uniform Law Commission

00:52:38 Rep. Kelker

00:53:03 Dean Eck, Montana Uniform Law Commission

00:56:05 Rep. Usher

00:56:59 Bran Boyar, Montana Bar Association

00:57:40 Rep. Usher

00:57:53 Dean Eck, Montana Uniform Law Commission

00:59:16 Rep. Court

00:59:57 Dean Eck, Montana Uniform Law Commission

Closing by Sponsor:

01:01:23 Sen. McNally

[EXHIBIT\(juh58a07\)](#)

01:04:51 Recess

01:12:17 Reconvene

HEARING ON SB 167**Opening Statement by Sponsor:**

01:12:32 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 167, Generally revise laws pertaining to insurance offenses.

Proponents' Testimony:

01:13:31 Barbara Harris, Self

Opponents' Testimony: None**Informational Testimony:** None**Questions from Committee Members and Responses:** None**Closing by Sponsor:**

01:15:59 Sen. Vincent

Committee Business:

01:17:25 Chair Doane

01:20:36 Recess

02:01:11 Reconvene

EXECUTIVE ACTION ON SB 64

02:01:21 **Motion:** Rep. Berglee moved that **SB 64 BE CONCURRED IN.**

02:01:42 **Motion/Vote:** Rep. Berglee moved that **SB 64 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Eck, Rep. Harris and Rep. Hill Smith voted by proxy.

EXHIBIT(juh58a08)

02:02:36 **Motion:** Rep. Berglee moved that **SB 64 BE CONCURRED IN AS AMENDED.**

02:02:54 **Motion:** Rep. Sheldon-Galloway moved that **SB 64 BE AMENDED.**

EXHIBIT(juh58a09)**Discussion:**

02:03:14 Rep. Sheldon-Galloway

02:04:04 Rep. Court

02:04:51 Rep. McConnell

02:05:09 Rep. Sheldon-Galloway

02:05:51 Helen Thigpen, Legislative Services Division (LSD)

02:06:40 Rep. Kelker

02:07:25 Rep. Wagoner

02:08:18 Rep. Usher

02:09:12 Helen Thigpen, LSD

02:09:52 Rep. Kelker

02:10:51 Rep. McConnell

02:11:36 Rep. Morigeau
02:12:10 Rep. Kelker
02:12:18 Chair Doane
02:13:03 Rep. Kelker
02:13:34 Rep. Sheldon-Galloway
02:13:54 Rep. Kelker
02:13:58 Rep. Wagoner
02:14:37 Rep. Court
02:16:10 Chair Doane
02:16:56 Rep. Manzella
02:18:22 Rep. McConnell
02:18:39 Helen Thigpen, LSD
02:19:15 Rep. Manzella
02:19:24 Rep. Wagoner
02:19:40 Chair Doane

02:19:43 **Vote:** Motion carried 11-8 by roll call vote with Rep. Bishop, Rep. Court, Rep. Eck, Rep. Hill Smith, Rep. Kelker, Rep. McConnell, Rep. Morigeau and Rep. Perry voting no. Rep. Eck, Rep. Harris and Rep. Hill Smith voted by proxy.

02:21:01 **Motion:** Rep. Berglee moved that **SB 64 BE CONCURRED IN AS AMENDED.**

Discussion:

02:21:11 Rep. McConnell
02:21:24 Rep. Sheldon-Galloway

02:22:40 **Vote:** Motion carried unanimously by voice vote. Rep. Eck, Rep. Harris and Rep. Hill Smith voted by proxy. Rep. Mortensen will carry the bill.

EXECUTIVE ACTION ON SB 175

02:23:26 **Motion:** Rep. Berglee moved that **SB 175 BE CONCURRED IN.**

02:23:35 **Motion:** Rep. M. Regier moved that **SB 175 BE AMENDED.**
EXHIBIT(juh58a10)

Discussion:

02:24:03 Helen Thigpen, LSD
02:25:10 Rep. Morigeau left the meeting
02:25:21 Rep. McConnell left the meeting

02:27:13 **Vote:** Motion carried 11-8 by roll call vote with Rep. Bishop, Rep. Court, Rep. Eck, Rep. Hill Smith, Rep. Kelker, Rep. McConnell, Rep. Morigeau and Rep. Perry voting no. Rep. Eck, Rep. Harris, Rep. Hill Smith, Rep. McConnell, Rep. Morigeau voted by proxy.

02:27:52 Rep. McConnell joined the meeting.

02:28:34 **Motion/Vote:** Rep. Berglee moved that **SB 175 BE CONCURRED IN AS AMENDED**. Motion carried 11-8 by roll call vote with Rep. Bishop, Rep. Court, Rep. Eck, Rep. Hill Smith, Rep. Kelker, Rep. McConnell, Rep. Morigeau and Rep. Perry voting no. Rep. Eck, Rep. Harris and Rep. Hill Smith voted by proxy. Rep. Berglee will carry the bill.

EXECUTIVE ACTION ON SB 176

02:30:16 **Motion:** Rep. Berglee moved that **SB 176 BE CONCURRED IN**.

Discussion:

02:30:29 Helen Thigpen, LSD
02:30:59 Rep. Harris joined the meeting.
02:31:22 Chair Doane

02:31:27 **Motion/Vote:** Rep. M. Regier moved that **SB 176 BE AMENDED**. Motion carried 11-8 by roll call vote with Rep. Bishop, Rep. Court, Rep. Eck, Rep. Hill Smith, Rep. Kelker, Rep. McConnell, Rep. Morigeau and Rep. Perry voting no. Rep. Eck and Rep. Hill Smith voted by proxy.

EXHIBIT(juh58a11)

02:32:53 **Motion/Vote:** Rep. Berglee moved that **SB 176 BE CONCURRED IN AS AMENDED**. Motion carried 11-8 by roll call vote with Rep. Bishop, Rep. Court, Rep. Eck, Rep. Hill Smith, Rep. Kelker, Rep. McConnell, Rep. Morigeau and Rep. Perry voting no. Rep. Eck and Rep. Hill Smith voted by proxy. Rep. Regier will carry the bill.

ADJOURNMENT

Adjournment: 02:33:57

Sara Fleming, Secretary

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Additional Documents:

EXHIBIT([juh58aad.pdf](#))